

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AEGIS SECURITY INSURANCE COMPANY,)
Plaintiff,)
v.) Case No.: _____
RAKS FIRE SPRINKLER, LLC;)
ROMERO ALI;) Judge: _____
ALIA ALI; RASHAD ALI; AND) Magistrate Judge: _____
DONNA ALI)
Defendants.)

NOTICE OF REMOVAL

COMES NOW, the Defendants, RAKS Fire Sprinkler, LLC (“RAKS”), Romero Ali, Rashad Ali, and Donna Ali (hereinafter “Removing Defendants”), by and through counsel, and hereby give notice of removal of the above-entitled action, which is filed as Civil Action **Docket No. 2021-cv-318NT** in the Court of Common Pleas for Dauphin County, Pennsylvania, from said Court to the United States District Court for the Middle District of Pennsylvania. This Notice of Removal is filed pursuant to **28 U.S.C. § 1332**, **28 U.S.C. §1441**, and **28 U.S.C. §1446**.

CIVIL ACTION REMOVED

1. Civil Action Docket Number 2021-cv-318NT in the Court of Common Pleas of Dauphin County, which is styled “AEGIS SECURITY INSURANCE COMPANY v. RAKS Fire Sprinkler, LLC; Romero Ali; Alia Ali, Rashad Ali, and Donna Ali,” is a civil action that was filed on January 13, 2021.

DIVERSITY OF CITIZENSHIP

2. Under **28 U.S.C. § 1332(a)**, diversity jurisdiction exists when a civil action is between citizens of different states and the amount in controversy meets or exceeds \$75,000.00.

3. In its complaint for confession of judgment, the Plaintiff, AEGIS SECURITY INSURANCE COMPANY (hereinafter “Aegis”), indicates that it is a corporation incorporated under the laws of the Commonwealth of Pennsylvania which maintains its principal place of business in Pennsylvania; therefore, making Aegis a resident of Pennsylvania. *See* Complaint attached hereto as **Exhibit 1**, ¶ 1.

4. As noted in the complaint, Romero Ali is an adult resident of Washington. Exhibit 1, ¶3. Alia Ali is also an adult resident of Washington. *Id.* at ¶4. Rashad Ali is an adult resident of Mississippi. *Id.* at ¶5. Donna A. Ali is an adult resident of Mississippi. *Id.* at ¶6.

5. RAKS is not a corporation, but a limited liability company formed under the laws of the state of Mississippi which was dissolved in 2020. Its residency

is determined by the residency of its members, all of whom are residents of Alabama, Mississippi, and Washington.

6. As a result of the foregoing facts, there is complete diversity of citizenship between the parties as defined by **28 U.S.C. §1332(a)(1)**.

FACTS AND CONTROVERSY SUPPORTING JURISDICTIONAL AMOUNT

7. In its complaint, Aegis seeks damages well in excess of \$75,000. *See Exhibit 1.*

8. Accordingly, this Court has diversity jurisdiction over this civil action pursuant to **28 U.S.C. §1332**. Therefore, this action may be removed to this Court pursuant to **28 U.S.C. §1441**.

TIMELINESS OF REMOVAL

9. Many of the Defendants have not been properly served, but the subject complaint was not filed until January 13, 2021. Thus, thirty days have not elapsed since any Defendant was served with the Summons and Complaint in this matter. Thus, this removal is timely as required by **28 U.S.C. §1446**.

COPIES OF STATE COURT PROCEEDINGS

10. Pursuant to **28 U.S.C. § 1446(a)**, the Removing Defendants have attached hereto a true and correct copy of all process, pleadings, and orders served upon the Removing Defendants on file in Civil Action Docket Number 2021-cv-318NT in the Court of Common Pleas of Dauphin County. *See, State Court Records*

attached hereto as **Exhibit 2**. Removing Defendants have requested a full certified copy of all state court proceedings and will submit the same to this Court once obtained.

NOTICE TO STATE COURT

11. The Removing Defendants will immediately file with the Court of Common Pleas of Dauphin County a true and correct copy of this Notice, thereby effecting removal of this action to this Court. According to **28 U.S.C. §1446(d)**, no further proceedings shall be had in Dauphin County.

CONSENT TO REMOVAL

12. All Defendants have consented to the removal of this matter.

NOTICE TO PLAINTIFF

13. Pursuant to **28 U.S.C. §1446(a)** and consistent with the Certificate of Service, Plaintiff is being provided with a copy of this Notice of Removal.

COMPLIANCE WITH FEDERAL RULE OF CIVIL PROCEDURE 7.1

14. Pursuant to **Federal Rule of Civil Procedure 7.1**, RAKS will file a Corporate Disclosure Statement.

Respectfully submitted, this the 12th day of February, 2021.

s/ Brian J. Pulito

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Attorneys for Defendants RAKS FIRE SPRINKLER, LLC, ROMERO ALI, RASHAD ALI, and DONNA A. ALI

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the attached **NOTICE OF REMOVAL** on all of the parties to this cause by:

- Hand delivering a copy hereof to the attorney for each said party addressed as follows:
- Depositing a copy hereof, postage paid, in the United States Mail, addressed to the attorney for each said party as follows:
- Via electronic mail addressed to the attorney for each party as follows:
- Depositing a copy hereof with a nationally recognized overnight courier service, for overnight delivery, addressed to the attorney for each said party as follows:
- Telecopying a copy hereof to the attorney for each said party as follows:

Michael F. J. Romano, Esq.
Romano Garubo
52 Newton Avenue
Woodbury, NJ 08096

This, the 12th day of February, 2021.

s/ Brian J. Pulito